

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

UNITED STATES OF AMERICA,

v.

REPUBLIC STEEL,

Defendant.

Civil Action No. 5:22-cv-02163

The Honorable John R. Adams

**UNITED STATES' UNOPPOSED MOTION TO ENTER CONSENT DECREE**

The United States of America, on behalf of the United States Environmental Protection Agency (“EPA”), respectfully requests that this Court enter the proposed Consent Decree previously lodged on December 1, 2022. *See* ECF No. 2-1.

The proposed Consent Decree was lodged with this Court for the purpose of soliciting public comments. Pursuant to 28 C.F.R. § 50.7, notice of lodging of the proposed Consent Decree was published in the Federal Register on December 8, 2022, which commenced a comment period running through January 13, 2023. *See* 87 Fed. Reg. 75,2889 (Dec. 8, 2022). The public comment period has expired and the United States received three comments on the proposed Consent Decree. Copies of the comments are attached to this Motion as Exhibits 1-3. As explained in the accompanying Memorandum, the points made by the commenters do not justify renegotiation, withdrawal, or rejection of the proposed Consent Decree.

The proposed Consent Decree requires the Defendant to (1) comply with the Clean Air Act by installing and operating emission controls at its steel manufacturing facility to

reduce lead emissions from the facility's Flexcast VTD and cooling tower; (2) complete comprehensive testing to demonstrate compliance with lead limits at the Flexcast VTD under an EPA-approved testing protocol; (3) install and operate a compliance management system for the Flexcast VTD to ensure proper monitoring, recording, and recordkeeping; (4) modify its permit for the installation and continuous operation of the newly installed emission controls at the Flexcast VTD and cooling tower; (5) submit semiannual reports to EPA describing the work and progress made toward implementing the requirements in the Consent Decree; and (6) pay \$990,000 as a civil penalty.

For the reasons set forth in the accompanying Memorandum, the United States respectfully requests that this Court find that the Consent Decree is fair, reasonable, and consistent with the public interest, and enter the decree. The signature line for the Court is on page 42 of the decree.

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 6, 2023, I caused the *United States' Unopposed Motion to Enter Consent Decree* to be filed electronically with the Clerk of Court through ECF. And I hereby certify that on February 6, 2023, I caused copies of the foregoing filings to be served on the following individuals by electronic mail:

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Respectfully submitted,

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